

MINUTES  
REGULAR MEETING  
MINERAL WELLS CITY COUNCIL  
CITY HALL ANNEX  
February 6, 2018 - 6:00 pm

City Councilmembers present were Mayor Mike Allen, Mayor Pro-Tem Tammy Underwood, Councilmembers Brian Shoemaker, Regan Johnson, Jerrel Tomlin, and Doyle Light. A quorum of City Councilmembers was present.

Staff members present were City Manager Lance Howerton, Finance Director John Moran, Fire Chief Mike Pool, Police Chief Dean Sullivan, City Clerk Peggy Clifton, and City Attorney Mack Reinwand.

Mayor Allen called the meeting to order. Reverend Eric Douglas of First United Methodist Church of Mineral Wells led the invocation, and the Pledges of Allegiance to the U.S. and Texas flags were recited.

**CITIZEN COMMENT**

Mayor Allen recognized Ms. Maurie Powell of 2004 NW 2<sup>nd</sup> Avenue who had signed to speak. Ms. Powell wanted to know when SW 2<sup>nd</sup> Street between the Police and Fire Departments and the Steve Perdue Memorial building would be back open. Mr. John Moran stated that the repairs were not complete due to delays with the City's insurance company.

Following a motion made by Mr. Shoemaker, seconded by Ms. Johnson, the following **CONSENT AGENDA** was approved by a vote of 6-0:

1. Consider approval of minutes of meeting held January 16, 2018.
2. Consider approval of budgeted expenditures over \$500.
3. Consider Order of Election for May 5, 2018 election for City Councilmembers. (Consideracion de orden de eleccion en 5 de mayo 2018 para las elecciones del Concejo Municipal.)
4. Consider approval of Uniform Election Joint Resolution and Joint Election Agreement and Contract for Election Services between City of Mineral Wells and Palo Pinto County Elections Administrator for Election to be held on May 5, 2018.

ITEM # 1

## ITEMS FOR INDIVIDUAL CONSIDERATION

5. John Moran stated that he was speaking for Mr. Howerton. On the subject of Mr. Lann Muprhy's proposal on the donation of funds to the City, he referred the Council to City Attorney Mack Reinwand. Mr. Reinwand told Council of the concerns he had with the donation. He felt that accepting donations without knowing what they would be used for and then at a later date being told what the Council should do with those funds would take away the legislative discretion of Council to use those funds as they deemed appropriate for the City. He gave an alternative of the Council picking a project the money could be used on and setting up a fund. Then if people wanted, they could donate to that fund. The concern with that is you may never get the full amount of money to complete that project. Another alternative would be that a group of citizens could gather donations themselves and present it to the City Council stating what they wanted it to be used for. The City could then decide whether to accept the donation.

Mayor Allen suggested to go back to Mr. Murphy and suggest that they hold the funds until they decide what project they have in mind when they have enough funds for the project. Mr. Shoemaker agreed they need to hold that money and decide what project needs to be done and then approach the Council. He felt that we need to take Legal Counsel's advice. Mayor Allen thinks West City Park was a good project. Mr. Light's concern was that the City would be obligated to audit and be responsible for the funds, which would be an expense itself. Mr. Light suggested, with Mr. Shoemaker and Mrs. Underwood agreeing, they could set something up similar to the Brazos Foundation. Ms. Johnson believes this would give the citizens more control over the funds. Mr. Tomlin said it was a noble idea. Mayor Allen asked Mr. Moran to pass this information on to Mr. Murphy. No action taken.

6. Mayor Allen tabled the resolution authorizing submission of a Texas Capital Fund application benefiting Brazos Valley Spring Water and authorizing execution of documents related thereto to include a Commercial Contract-Improved Property between the Mineral Wells Industrial Foundation, Inc. and the City of Mineral Wells because they were not ready to submit the Texas Capital Fund application.
7. Mr. Moran stated that we had made an application on December 1st, 2017 to the Governor's Office for an Enterprise Project. Mrs. Underwood was very disappointed of the result when we did



this on the first attempt, and thinks it is worthy of a second attempt. Mr. Howerton stated that this item, which was listed on the agenda as a resolution, was an ordinance. Mr. Shoemaker moved and Mr. Light seconded to approve an ordinance of the City Council of the City of Mineral Wells, Texas, ordaining the City's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing tax incentives, designating a liaison for communication with interested parties, and nominating American Medical Response Ambulance Service, Inc. (AMR) to the Office of the Governor's Economic Development & Tourism Division through the Economic Development Bank as an Enterprise Project. Motion carried 6-0.

8. Mr. Moran stated that in December, Council approved taking proposals for a Downtown Area Historic Resources Survey. Five firms responded. A committee of Staff and two representatives from the Tax Increment Reinvestment Zone #2, Ken Williamson and Ronny Collins, reviewed the responses and selected HHM and Associates of Austin who quoted a fee of \$29,400. He stated these funds would be paid out of the Tax Increment Reinvestment Zone #2 Fund. Mayor Allen added that it was quite a bit less than previously thought. Mr. Light moved and Mr. Tomlin seconded to award the RFP to HHM and Associates for \$29,400 and authorize execution of the contract. Motion carried 6-0.
9. Police Chief Dean Sullivan stated that at its meeting in January, the Council had directed staff to bring forward the item previously presented on Public Safety. After much discussion, Chief Sullivan had the Council clarify that in the FY 2018/2019 budget there should be a mid-year addition of two Patrol Officers, a mid-year addition of three Firefighters, and a Fiscal Year addition of one Telecommunicator. If funds were still available, there would be increases in the Fire Department salaries while postponing Police Department raises. He is to bring forward information of how new positions would offset the overtime we are currently experiencing. He is also to show where in the timeline a Fire Inspector could be presented. No action taken.
10. With the upcoming Streets and Utility Capital Improvement Bond Projects, Mr. Moran stated that we need to solicit an RFQ for Engineering Services. Mr. Shoemaker moved and Mr. Light seconded to approve a Request for Qualifications Solicitation for Engineering Services in support of the upcoming Streets

and Utility Capital Improvement Bond Projects. Motion carried 6-0.

11. Mr. Moran discussed the odor problem we have at the Willow Creek Wastewater Treatment Plant. He stated that Perkins Engineering Consultants Group is considered expert in dealing with these kinds of situations. In consulting with others that were knowledgeable about this group, they recommended that we use them. Mrs. Underwood moved and Ms. Johnson seconded approving a resolution authorizing execution of an Engineering Services Agreement between Perkins Engineering Consultants, Inc. and the City of Mineral Wells to address odor issues at the Willow Creek Wastewater Treatment Plant. Motion carried 6-0.
12. Mr. Moran stated the City was awarded a Community Development Block Grant (CDBG) Project last year for upgrades to our water system and additional fire hydrants in our Downtown Area leaving the need to contract with the Engineering Firm that had been selected. Ms. Johnson moved and Mr. Shoemaker seconded to approve a resolution authorizing execution of a Professional Services contract for engineering/surveying services with Enprotec/Hibbs and Todd, Inc. for services associated with the 2017 Community Development Block Grant Project. Motion carried 6-0.
13. Mr. Moran stated the City solicited bids for financing of four police vehicles and one Gradall. We only received one bid from First Financial Bank. The proposal for four police vehicles was approximately \$210,000 at 2.78% interest at a term of three years, and one Gradall for approximately \$390,000 at 3.43% at a term of eight years. Mrs. Underwood moved and Ms. Johnson seconded to approve the bid to First Financial Bank and authorize the Mayor to execute any associated financial documents. Motion carried 6-0.
14. Mrs. Clifton stated that with former Councilmember John Upham's resignation, there was a need to replace him by making an appointment to the Mayor's Committee on Boards and Commissions. Mayor Allen asked if anyone had opposition to appointing Councilmember Jerrel Tomlin to the Committee, to which no one opposed. Mayor Allen appointed Jerrel Tomlin to the Mayor's Committee on Boards and Commissions.
15. Mr. Moran introduced Ms. Sarah Bedford Cheek of Hilltop Securities. She stated that the City sold bonds in the Capital Markets that morning. The authority to sale the bonds was



authorized by the voters in the November 2017 Uniform Election. Two of the propositions on the ballot passed; one for Streets and Water/Sewer Projects and the other for the Highway 180 Waterline Project. The Bonds were sold to UBS Financial Services of New York based upon a competitive bid process. In return, the City receives a total of a little over \$11,040,000 to complete the projects authorized in the election. The City will pay back this bond over a 25 year period. The 25 year Bond Rate is at 3.52% interest. Hilltop Securities had recommended that the City conduct a competitive bid which is the most transparent process to sell bonds.

Leroy Grawunder of McCall, Parkhurst and Horton, the City's Bond Counsel, spoke to the ordinance authorizing the issuance of the General Obligation Bonds for the purposes authorized by Propositions A and C at the November Election. The Bonds, which is typical in the market, can be repaid in ten years. The Trustee is US Bank National Association of Dallas. If the Council approves the ordinance, the next step is to send the proceedings to the Texas Attorney General's Office as required by law for review and approval. Upon Council's approval there will be the bond closing, and then receipt of the Project Funds scheduled for March 8, 2018. Mrs. Underwood made a motion and Mr. Light seconded to approve an ordinance authorizing the issuance and sale of City of Mineral Wells, Texas General Obligation Bonds, Series 2018; levying an annual ad valorem tax and providing for the security for and payment of said bonds; approving the official statement; providing an effective date; and enacting other provisions relating to the subject.

16. There was no further business, and the meeting was adjourned at 6:50 pm.

  
Mike Allen, Mayor

ATTEST:

  
Peggy Clifton, City Clerk

APPROVED: 02/20/2018